

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 148

May 23, 1996, 12:58 p.m.  
Page S-5511 Temp. Record

## BUDGET RESOLUTION/Sense-of-the-Senate Amendments on Budget Resolutions

**SUBJECT:** Senate Concurrent Budget Resolution for fiscal years 1997-2002 . . . S. Con. Res. 57. Domenici motion to waive section 305(b) of the Budget Act for the consideration of the Murkowski amendment No. 4015.

### ACTION: MOTION REJECTED, 57-41

**SYNOPSIS:** As reported, S. Con. Res. 57, the Concurrent Budget Resolution for fiscal years 1997-2002, will balance the Federal budget in fiscal year (FY) 2002 by slowing the overall rate of growth in spending over the next 6 years to below the rate of growth in revenue collections. The rate of growth in entitlements such as Medicare, Medicaid, the Aid to Families with Dependent Children program, and the Earned Income Credit will be slowed. No changes will be made to the Social Security program, the spending for which will grow from \$348 billion in FY 1996 to \$467 billion in FY 2002. Defense spending will be essentially frozen at its present level.

**The Murkowski amendment** would amend the Budget Act to prohibit the offering of amendments that contained purely precatory language (which include sense-of-the-Senate, sense-of-the-Congress, and all similar amendments).

Following debate, Senator Exon raised the point of order that the Murkowski amendment violated section 305(b) of the Budget Act. Senator Domenici then moved to waive that section for the consideration of the amendment. Generally, those favoring the motion to waive favored the amendment; those opposing the motion to waive opposed the amendment.

NOTE: A three-fifths majority (60) vote is required to waive section 305(b) of the Budget Act.

**Those favoring** the motion to waive contended:

The Murkowski amendment would ban sense-of-the-Senate amendments on budget resolutions. When debating budget resolutions, the Senate should concern itself with the substance of those resolutions. It should not waste the limited time available by making impassioned, partisan speeches on non-binding amendments. Budget resolutions are supposed to lay out the framework for the authorizing and appropriating committees to meet their obligations under a reconciliation process. The idea of having a budget

(See other side)

YEAS (57)			NAYS (41)			NOT VOTING (2)	
Republicans (49 or 96%)	Democrats (8 or 17%)		Republicans (2 or 4%)	Democrats (39 or 83%)		Republicans (2)	Democrats (0)
Abraham	Hutchison	Byrd	Brown	Akaka	Heflin	Dole- <sup>2</sup>	
Ashcroft	Inhofe	Glenn	Domenici	Baucus	Inouye	Santorum- <sup>2</sup>	
Bennett	Jeffords	Hollings		Biden	Kennedy		
Bond	Kassebaum	Johnston		Bingaman	Kerrey		
Burns	Kempthorne	Lieberman		Boxer	Kerry		
Campbell	Kyl	Nunn		Bradley	Kohl		
Chafee	Lott	Reid		Breaux	Lautenberg		
Coats	Lugar	Robb		Bryan	Leahy		
Cochran	Mack			Bumpers	Levin		
Cohen	McCain			Conrad	Mikulski		
Coverdell	McConnell			Daschle	Moseley-Braun		
Craig	Murkowski			Dodd	Moynihan		
D'Amato	Nickles			Dorgan	Murray		
DeWine	Pressler			Exon	Pell		
Faircloth	Roth			Feingold	Pryor		
Frist	Shelby			Feinstein	Rockefeller		
Gorton	Simpson			Ford	Sarbanes		
Gramm	Smith			Graham	Simon		
Grams	Snowe			Harkin	Wellstone		
Grassley	Specter				Wyden		
Gregg	Stevens						
Hatch	Thomas						
Hatfield	Thompson						
Helms	Thurmond						
	Warner						

#### EXPLANATION OF ABSENCE:

1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

resolution is to bring order, and fiscal discipline, to the budget process. Unfortunately, in recent years a trend has emerged in the debate on budget resolutions. Instead of making substantive suggestions for changes to the budget framework, many Senators are now prone to offer grandstanding amendments to make political points. These sense-of-the-Senate statements have no legal weight—they do not shift \$1 in budget authority, nor do they have any other legislative effect. We should stop this practice. We think the Senate's time would be far better spent if it stuck to the consideration of substantive measures. The limited time available for considering budget resolutions should be spent considering budget resolutions, not making lengthy political speeches on amendments that have no binding effect.

In defense of the current right to offer sense-of-the-Senate amendments, some Senators have suggested that they serve as a valuable way for Senators to let off steam without making any substantive change in the law. In our opinion, whether Senators are letting off steam or gas is irrelevant. On budget resolutions, which operate under strict time limits and establish broad budget frameworks, these amendments just slow matters down, and when they are adopted they do not have any effect on the actions of either the authorizing committees or the Appropriations Committee. Some Senators have also suggested that we are infringing on the rights of the minority party in making this suggestion, and have said that they would never have made the same suggestion when they were in the majority. Our Democratic colleagues indeed never made this proposal, but when Republicans were in the minority there were typically only a handful of votes on budget resolutions. Democrats, though, feel compelled to offer dozens of these political gesture amendments now that they are in the minority. In other words, Democrats never felt compelled to respond to this problem because it did not exist until they created it last year.

Few aspects of a budget resolution are binding, and none are more inconsequential than sense-of-the-Senate amendments. We should stick to the point, and discuss spending caps, instructions for revenue savings, and budget processes. We therefore urge adoption of the Murkowski amendment.

**Those opposing the motion to waive contended:**

Our colleagues' arguments are not without merit, but their attempt to stop sense-of-the-Senate amendments is futile. Any Senator who wanted to offer such an amendment would instead have only to make a minor change in the numbers, and then proceed with the same political arguments that he or she would have made if he or she had been allowed to offer a sense-of-the-Senate amendment. Further, we are very disturbed at our Republican colleagues' willingness to impose this limitation on the right to offer amendments. The Senate's proud tradition is to have free and unlimited debate. The rights of the minority to have their views heard and weighed should be jealously protected. Another reason for opposing the Murkowski amendment is that we think that political amendments serve a purpose. The American people have a right to know where Members stand on different issues, and we have a duty to let them know. Sense-of-the-Senate amendments, though nonbinding, serve to let people know Members' positions on the issues. A final problem with the amendment is that it would not stop whichever party was in the majority from attaching such statements in the Budget Committee before reporting resolutions. In effect, statements approved by the majority party would thus be allowed on budget resolutions, but no floor consideration would be allowed for statements from the minority party. As we said at the outset, we do not think our colleagues' arguments are without merit. The process is being bogged down with these amendments. Overall, though, the benefits that would be gained from banning sense-of-the-Senate amendments on budget resolutions would not outweigh the costs. Therefore, the Murkowski amendment should be rejected.